

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS—SHERMAN DIVISION

FELD MOTOR SPORTS, INC.,

Plaintiff,

v.

TRAXXAS, LP,

Defendant.

Case No. 4:14-cv-00543-ALM

JOINT EXHIBIT LIST

Joint Exhibits

Exhibit	Description
1	Traxxas Audit Response
2	Traxxas Objections and Responses to FMS's First Set of Interrogatories
3	Exhibit A to Traxxas Objections and Responses to FMS's First Set of Interrogatories
4	Exploded view of Stampede chassis assembly
7	Parts list for Stampede 36054
8	Parts list for Stampede VXL
9	Parts list for Stampede 4x4
10	Parts list for Stampede 4x4 VXL
11	License Agreement
12	Email from M. Abernethy to K. Poteet (July 1, 2010)
13	Email from M. Abernethy to K. Poteet (July 14, 2010)
14	Email from K. Poteet to M. Jenkins & T. Murray (July 26, 2010)
15	Email from K. Poteet to T. Murray, M. Abernethy, & M. Jenkins (July 27, 2010)
16	Email from K. Poteet to M. Abernethy (July 29, 2010)
17	Email from M. Abernethy to K. Poteet (July 30, 2010)
18	Email from M. Jenkins to K. Poteet (August 3, 2010)
19	Email from M. Abernethy to K. Poteet (August 4, 2010)
22	Email from M. Abernethy to K. Poteet (August 23, 2010)
24	Email from M. Abernethy to K. Poteet (Sept 2 2010)
25	Email from M. Mattorano to himself (Feb 4, 2014)
27	Email from K. Connelly to M. Abernethy (Nov 15 2012)
28	Email from M. Mattorano to K. Poteet (Feb 3 2014)
33	Exploded view of Stampede VXL chassis assembly w/ annotations
34	Exploded view of Stampede 4x4 chassis assembly
37	FMS's objections and responses to Traxxas' interrogatories
39	Email from M. Abernethy to T. DeWitt (Sept 21 2010)
45	Email from B. Huggler to M. Abernethy (July 14, 2009)

Exhibit	Description
48	Email from M. Abernethy to M. Mattorano (March 14, 2014)
49	Email from M. Abernethy to D. Edwards (March 13, 2014)
51	Email from D. Edwards to A. Lort (Jan 12, 2014)
55	Email from D. Edwards to M. Abernethy (March 12, 2014)
57	D. Edwards' long-form audit report to M. Mattorano (March 13, 2014)
58	Email from T. DeWitt to M. Abernethy (Dec 17, 2010)
59	Email from S. Wentzel to M. Abernethy & K. Connelly (Aug 1, 2012)
64	Email from T. Murray to R. McSpadden, M. Abernethy, & S. Ludera (June 29, 2010)
65	Email from M. Abernethy to A. Lort (July 12, 2010) (page 2 only)
67	Email from M. Abernethy to K. Hudgens, T. Murray, R. McSpadden, & S. Ludera (July 4, 2010)
68	Email from K. Hudgens to T. Murray, C. Mancuso, et al. (July 30, 2010)
69	Email from T. Murray to M. Abernethy & K. Hudgens (August 27, 2010)
70	Email from K. Hudgens to M. Abernethy (Sept 3, 2010)
71	Email from T. Murray to M. Abernethy (Sept 13, 2010)
72	Email from M. Abernethy to T. Murray (Sept 16, 2010)
73	Email from M. Abernethy to T. Murray (Sept 16, 2010)
74	Email from T. Murray to M. Abernethy (Sept 16, 2010)
75	Email from M. Abernethy to T. Murray & A. Lort (Sept 16, 2010)
76	Email from M. Abernethy to H. Holmes (Sept 21, 2010)
77	Email from K. Hudgens to M. Abernethy (Feb 22, 2013)
79	Preliminary draft of Royalty Audit Report (March 10, 2014)
81	Email from K. Hudgens to M. Abernethy (March 10, 2014)
83	Email from M. Shannon to M. Abernethy, T. Murray, & C. Mancuso (May 14, 2014)
92	Email from B. Huggler to M. Abernethy & T. Murray (w/ unidentified handwritten notes)
94	Email from M. Abernethy to D. Edwards (Jan 29, 2014)
96	Email from D. Edwards to M. Abernethy (Feb 27, 2014)
97	Handwritten notes memorializing phone call w/ P. Smith
98	Handwritten notes
99	Email from M. Abernethy to D. Edwards (March 10, 2014)
100	Handwritten notes
101	Email from K. Hudgens to C. Mancuso (March 11, 2014)
102	Email from D. Edwards to M. Abernethy (March 10, 2014)
105	Email from N. Pope to D. Edwards (March 13, 2014)
106	Email from K. Hudgens to M. Abernethy (March 13, 2014)
110	Stampede Quick-start guide
124	Sponsorship agreement
127	Email from M. Abernethy to K. Hudgens (Sept 2, 2010)
128	Email from T. Murray to M. Abernethy (Sept 14, 2010)
130	Email from M. Abernethy to M. Mattorano (Sept 21, 2010)
131	Email from M. Abernethy to M. Mattorano (Sept 28, 2010)

Exhibit	Description
132	Draft license agreement
133	Redlined draft license agreement
136	Email from M. Abernethy to T.D. Lovett & A. Baker (Dec 20, 2010)
137	Email from K. Poteet to P. Braualo & R. Hohnholt (Feb 27, 2012)
139	Screenshot of Monster Jam website of product release press announcement
155	Email from S. Ludera to T. Murray, et al. (Aug 23, 2010)
156	Traxxas distributor price list (June 14, 2010)
159	Email from M. Abernethy to K. Hudgens, et al. (Jan 29, 2014)
167	Email from M. Abernethy to K. Connolly, et al. (Nov 6, 2013)
169	Email from A. Lort to T. Murray, K. Hudgens, & M. Abernethy (Sept 14, 2010)
171	Email from M. Abernethy to M. Mattorano (Feb 18, 2011)
172	Email from M. Abernethy to S. Ludera, et al (Sept 26, 2011)
174	Email from K. Connolly to M. Abernethy, et al. (July 20, 2012)
175	Email from S. Ludera to T. Murray & R. McSpadden (Aug 2, 2011)
183	Exhibit A (copy)
185	Email from K. Hudgens to C. Mancuso (Feb 22, 2013)
186	Email from K. Hudgens to M. Abernethy (Oct 15, 2013)
187	Email from M. Abernethy to K. Hudgens & C. Mancuso (June 5, 2013)
188	Email from M. Abernethy to K. Hudgens (July 13, 2010)
191	Email from M. Abernethy to K. Hudgens (April 27, 2011)
192	Email from K. Hudgens to M. Abernethy (Feb 4, 2014)
193	R/C Car Action Magazine (May 2011)
194	Email from M. Mattorano to P. Smith (Dec 30, 2013)
195	Email from N. Pope to M. Mattorano (Dec 30, 2013)
196	Email from M. Mattorano to T. O'Brien & P. Smith (Dec 30, 2013)
197	Printout of Traxxas' website of Stampede
198	Email from M. Mattorano to T. O'Brien & P. Smith (Jan 13, 2014)
200	Email from M. Mattorano to P. Smith & T. O'Brien (Jan 31, 2014)
201	Email from P. Smith to M. Mattorano & T. O'Brien (Jan 31, 2014)
202	Email from M. Mattorano to P. Smith (Jan 31, 2014)
204	Traxxas' first supplemental objections and responses to FMS's First Set of Interrogatories
205	Printout of Traxxas' website of search for "Stampede"
207	Photo of Stampede box used as specimen for US PTO trademark application
215	Email from T. Murray to M. Abernethy (Sept 22, 2010)
216	Email from E. Roisman to M. Mattorano (Sept 22, 2010 12:51PM)
217	Email from T. Murray to M. Abernethy (Sept 22, 2010)
218	Email from E. Roisman to M. Mattorano (Sept 22, 2010 9:39PM)
219	Email from M. Mattorano to E. Roisman (Sept 24, 2010)
220	Email from M. Mattorano to M. Abernethy (March 26, 2014)
226	Email from M. Abernethy to M. Mattorano (April 11, 2014)
229	Printout of Traxxas' website of Stampede 4x4 VXL
248	Email from M. Abernethy to L. Mattorano (Nov 26, 2013)
249	Traxxas historical sales of Stampede (sealed)

Exhibit	Description
250	Traxxas Stampede sales projections (sealed)
254	Traxxas historical Stampede sales (sealed)
257	Printout of Traxxas' website of Nitro Stampede
258	Printout of Traxxas' website of Stampede 4x4
262	Email from M. Abernethy to S. Ludera, et al. (Feb 25, 2011)
263	Email from M. Abernethy to A. Lort (Sept 26, 2011)
287	R/C Car Action magazine article on Stampede 4x4 VXL

FMS Exhibits

Exhibit	Description
302	Stampede 4x4 Press Release (TRAXXAS0013995)
303	Traxxas/Monster Jam Press Release (TRAXXAS000436)
305	Email from P. Viera to K. Poteet and M. Jenkins transmitting press release (Jan. 6, 2011) (TRAXXAS010416)
306	Pre-2009 Stampede from Dealer Catalog (Traxxas0013820)
326	Revised Expert Report from D. Edwards (July 31, 2015)
331	Email from K. Hudgens to C. Mancuso and T. Murray (March 10, 2014) (FMS_00004300)
335	Email from K. Hudgens to C. Mancuso et al. (March 14, 2014) (FMS_00004199)
337	Email from M. Abernethy to K. Poteet (Aug 16, 2010) (FMS_00000836)
338	Email from M. Abernethy to M. Mattorano (Sept 2, 2010) (TRAXXAS000159)
354	Screenshots of Traxxas Depositions of FMS Witnesses
361	Email from J.S. Lemoine to C. Kimmett et al. (Apr 8, 2015)
362	USPTO Certified Applications for STAMPEDE
363	USPTO Certified Applications for E-MAXX
366	USPTO Certified Applications for REVO
367	USPTO Certified Applications for RUSTLER
375	S. Blum, License, Royalty & Revenue Agreements (2014 ed.)
386	Email from S. Ludera to A. Baker et al. (Dec. 20 2010) (FMS_00002191)
389	Email from D. Edwards to M. Mattorano transmitting audit report (March 13 2014) (TRAXXAS005354)
394A	#3617R Body Stampede VXL, ProGraphix
394B	#3617R Body, Stampede VXL, ProGraphix, Stickers

Traxxas Exhibits

Exhibit	Description
401	6th edition Traxxas Dealer Catalog released in 2009
402	7th edition Traxxas Dealer Catalog released in 2011
403	8th edition Traxxas Dealer Catalog released in 2013
404	Excerpts from the Traxxas Dealer Catalogs
405	Distributor Price Lists 2009-2013
406	Photographs of the Stampede Lineup

Exhibit	Description
407	Photographs of the body graphics for the Stampede Lineup
408	Traxxas Royalty Reports 2010-2014
409	July 30, 2010 Email from M. Abernethy
410	Any exhibit necessary for impeachment
411	Attorneys' Eyes Only Traxxas Financial documents
415A	Exemplar Stampede (Model 3605)
416	Exemplar Nitro Stampede
417	Exemplar Stampede VXL
418	Exemplar Stampede 4x4 VXL
419	Exemplar Stampede 4x4
420	Exemplar replacement body (3617)
421	Exemplar replacement body (6714)
423	Exemplar replacement body (3617X)
425	Exemplar replacement body (6714R)
426	Exemplar replacement body (6711X)
429	Exemplar lexan printed body for Nitro Stampede
430	Exemplar lexan printed body for Stampede VXL
431	Exemplar lexan printed body Stampede VXL
432	Exemplar lexan printed body for Stampede 4x4
433	Exemplar lexan printed body for Stampede VXL 4x4
437	Exemplar Gravedigger

FMS Exhibits Continued

Exhibit	Description
501A	Stampede XL-5 Brushed Truck, Red
501B	Stampede XL-5 Brushed Truck, Gray
502	Stampede VXL Brushless Truck w/ packaging
503	Stampede 4x4 Brushed Truck w/ packaging
504	Stampede 4x4 VXL Brushless Truck w/ packaging
505	Nitro Stampede Brushed Truck w/ packaging
506	E-Maxx Truck w/ packaging
507	Slash XL-5 Brushed Chad Hord Edition Truck w/ packaging
508	Slash VXL Brushless Traxxas Racing Edition Truck w/ packaging
511	Rustler XL-5 Brushed Truck w/ packaging
512	Rustler VXL Brushless Truck w/ packaging
513	Monster Jam Grave Digger Truck w/ packaging
514A	Monster Jam Grave Digger 1/16 Scale Electric Truck with Backpack
518A	#3617 Body, Stampede
527A	3679 Body, Advance Auto Parts Grinder, Officially Licensed Monster Jam Replica
528A	3617X Body, Stampede, ProGraphix
530A	3615 Body, Stampede VXL, ProGraphix
547	Monster Jam Maximum Destruction Truck
548	Stampede XL-5 Brushed Box

Exhibit	Description
549	Stampede VXL Brushless Box
550	Stampede 4x4 VXL Box
551	Stampede 4x4 VXL Brushless Box
552	Nitro Stampede Brushed Box
553	Monster Jam Grave Digger Box
554	Slash XL-5 Brushed Chad Hord Edition Box
555	Rustler XL-5 Brushed Truck Box
556	Rustler VXL Brushless Truck Box
557	Slash VXL Brushless Traxxas Racing Edition Box
558	E-Maxx Box